IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION Nos. : 677 of 2004, 933 of 2004 and 934 of 2004

W.P.NO.677 OF 2004

Between:

1 M. Narasa Reddy, S/o. Subbareddy,
Sub-Station, A.K. Nagar, Dargamitta, A.P.S.P.D.C.L., Nellore,
2 S.V.K. Pavan Kumar, S/o. Subrahmanyam,
A.P.S.P.D.C.L., East -I Section, Nellore.
3 Mirza Sabdar Hussain, s/o. Meerza Meerajan,
A.P.S.P.D.C.L., A.K. Nagar, Sub-Station, Nellore.
4 A. Penchalaiah, S/o. Venkataiah,
S.H. Per Section, A.P.S.P.D.C.L., Nellore.
5 T. Satish Babu, S/o. Lingaiah,
Town Hall Section, A.P.S.P.D.C.L., Nellore.

..PETITIONERS

AND

1 The A.P.S.P.D.C.L., rep. by its Chairman & Managing
Director, Tirupathi, Chittoor District.

2 The Superintending Engineer, APSPDCL.,
Nellore Division, Nellore.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in fixing the maximum age limit as 25 years for appointment to the post of Junior Lineman and not giving the weightage/preference to the service rendered by the petitioners as contract labour in the respondent organization as highly illegal, arbitrary and violative of Art.14 and 16 of Constitution of India and contrary to the service Regulations and consequentially direct the respondents to appoint the petitioners as Junior Linemen by relaxing the maximum age and by giving weightage/preference as done in the case of generating stations

W. P. NO : 933 of 2004

Between:

1 M. Kiran Kumar, S/o Subba Ramaiah,
M/o M.R.T. Lab, APSPDCL, Dargamitta,
Nellore, Nellore District.
2 P. Niranjan Babu, S/o Babu Rao,
Rural III Section, APSPDCL, Kotamitta, Nellore.
3 B.Penchalaiah, son of Gangaiah, age 28 years,
contract labour, Rural III Section, APSPDCL, Kotamitta,
Nellore.
4 Ch.Srinivasulu, son of Venkata Subbaiah, . .
age 28 years,Contractor labour, Rural III Section,
APSPDCL, Kotamitta, Nellore.
5 D.Krishnaiah, son of Chinnaiah, age 25 yers,
Rural III Section, APSPDCL, Kotamitta, Nellore.
6 V.Nageswara Rao, son of Srinivasulu, age 24 yrs,
M.R.T. Lab, APSPDCL, Dargamitta, Nellore.

...PETITIONERS

AND

1 The A.P.S.P.D.C .L. rep. by its
Chairman & Managing Director,
Tirupati, Chittoor District.

2 The Superintending Engineer, APSPDCL,
Vidhyuth Bhavan, Nellore, Nellore District

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in issuing Notification dt. 14-8-2003 without giving the weightage/preference to the service rendered by the petitioners as contract labour in the respondent organization and without giving marks for the period waiting from the date of passing of qualifying examination to the date of appointment as given in recruitment of other posts, as highly illegal, arbitrary and violative of Art. 14 and 16 of Constitution of India and consequentially direct the respondents to appoint the petitioners as Junior Line Man by giving weightage/preference as done in the case of generating stations

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W. P. NO : 934 of 2004

Between:

K. Bhaskar S/o. Kondaiah
33/11, K.V. Sub-Station, A.K.Nagar, A.P.S.P.D.C.L. Nellore,
Nellore District.

..... PETITIONER

AND

1 The A.P.S.P.D.C.L., rep., by its
Chairman & Managing Director, Tirupathi, Chittoor District.

2 The Superintending Engineer, APSPDCL,
Nellore Division, Nellore.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in fixing the maximum age limit as 25 years for appointment to the post of Junior Linemen and not giving the weightage/preference to the service rendered by the petitioners as contract labour in the respondent organization as highly illegal, arbitrary and villative of Art. 14 and 16 of the Constitution of India and contrary to the Service Regulations and consequentially direct the respondents to appoint the petitioners as Junior Linemen by relaxing the maximum age and by giving weightage/preference as done in the case of generating stations.

Counsel for the Petitioners (in all Writ Petitions): MR.N.M.KRISHNAIAH

Counsel for the Respondents (in all Writ Petitions) : MR.S.RAVINDRANATH

The Court made the following:

COMMON ORDER

Heard both sides and at their request, all the three Writ Petitions are taken up together for disposal.

Even though several questions are sought to be raised in the main Writ Petitions with regard to the maximum age limit, however, having regard to the fact that representations have been filed by the petitioners on 12-08-2004 and on 03-10-2004, it is not necessary to go into the merits of the claim. It would suffice in the interest of justice to direct the respondents to consider the representations of the petitioners.

Accordingly, the Writ petitions are disposed of directing the respondents to consider the aforesaid representations within a period of six weeks from the date of receipt of a copy of this order and pass orders on merits in accordance with law after giving notice and opportunity to the petitioners. No costs.

08-04-2005.

Hsd

Asst. Registrar

To

1 The Chairman & Managing Director,
A.P.S.P.D.C.L., Tirupathi, Chittoor District.

2 The Superintending Engineer, APSPDCL.,
Nellore Division, Nellore.

3 The Superintending Engineer, APSPDCL,
Vidyuth Bhavan, Nellore, Nellore District.

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